

**Lawn and Landscaping Guidelines for
THE NEIGHBORHOOD ASSOCIATION OF PONDSIDE, LLC.
a.k.a. The Villas of Sun Valley**

Revised November 2019

Lawn and Landscaping Guidelines

1. Introduction

1.1 Authority. These Lawn and Landscaping Guidelines (the "Guidelines") have been prepared by The Neighborhood Association of Pondside, Inc., a North Carolina nonprofit corporation (the "Association") for the residential community known as the Villas of Sun Valley ("Pondside"). The Guidelines are contemplated in and are promulgated pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Pondside (the "Declaration").

The Guidelines shall be employed in conjunction with the Declaration. If there is an express conflict between the terms of the Declaration and the terms of the Guidelines, the terms of the Declaration shall control and prevail; provided, however, the mere fact that the terms of the Guidelines may be more restrictive than the terms of the Declaration, or vice versa, shall not be construed as an express conflict, and in such case, the most restrictive provision shall control and prevail. Of course, in the event that governmental or quasi-governmental rules, regulations or requirements applicable to Pondside are more restrictive or more stringent than the terms of the Declaration and/or the terms of the Guidelines, the applicable governmental or quasigovernmental rules, regulations or requirements shall control and prevail.

1.2 Defined Terms. All defined terms used in the Guidelines, as indicated by the initial capitalization thereof, shall have the same meanings ascribed to such terms in the Declaration, unless otherwise specifically defined herein. Provided, however, in an effort to be colloquial, the term "homeowner" or "Lot Owner" may be used in lieu of the term "Owner" as defined in the Declaration.

1.3 Philosophy. The Guidelines have been developed to implement the design philosophy of Pondside, namely, to blend the Lot lawns and landscaping and the residents' lifestyles into a harmonious and aesthetically pleasing residential community, which places a strong emphasis on the preservation and enhancement of the natural beauty of Pondside.

1.4 Future Amendments. The Association expressly reserves the right to amend any or all provisions of the Guidelines at any time, in the sole discretion of the Association.

2. Services

2.1 Included Services. The Association shall provide the following Included Services to the Owners. Unless stated otherwise, the Included Services shall apply to the Front [which shall include the side street portion of corner Lots], Side and Rear portions of the Lot's lawn.

2.1.1 Mowing on a weekly basis to keep a neat appearance. All turf areas will be cut to a height of 3" to 4" and will be cut approximately 36 times per year. All trees, buildings, beds, and other obstacles will be trimmed around with a string trimmer

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as well as all curbs and sidewalks to be edged two times per month during the mowing season. All sidewalks, curbs, parking areas, and breezeways will be blown after each mowing. Yards with fencing will be mowed and maintained as long as access is provided, dogs are placed in the home, and pet droppings are disposed of.

- 2.1.2 All shrubs will be pruned at least two times per year and will have one application of slow release fertilizer in the winter months as needed.
- 2.1.3 All trees in landscaped areas will be trimmed to a minimum height of 8 feet from the base of the tree during the winter months.
- 2.1.4 All turf areas will be treated with two applications of pre-emergent Herbicide: once in early March and once in May. All turf areas will be treated with one application for Broad Leaf weeds in the spring of the year.
- 2.1.5 Weeding of planting beds provided on an as-needed basis
- 2.1.6 Pine needles provided twice a year. (Front planting beds, side and rear yard Buffer Zones).
- 2.1.7 Core aeration, over seeding and fertilizer applied September/October. Over seeding will be done at a rate of 3 pounds per 1000 sq. ft.
- 2.1.8 All turf areas to be fertilized four times per year. This will be done in March, May, September and December.
- 2.1.9 Leaves will be blown from turf areas and parking lots during winter months.
- 2.1.10 Irrigation systems will be shut off in winter and started up in spring. Homeowners are responsible for repairs and adjusting of systems.

The Association shall publish and distribute to the Owners a detailed schedule of the included Services, the designated dates of service, and the procedures for adjusting the dates due to inclement weather.

2.2 Optional Services. No optional services are available through the Association's designated lawn and landscaping service provider.

2.3 Owner Responsibilities. The Owners shall be responsible for the following:

- 2.3.1 Keeping their respective lawns free from debris and obstruction in order for the Association to perform the Included Services.
- 2.3.2 Keeping rear yard gates unlocked and rear yards pet-free on designated lawn servicing days. Failure to keep the lawn free from debris, pet droppings, and/or obstruction,

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pets or locked gates for rear yards may prevent the Association from providing the Included Services.

2.3.3 Installing new planting beds, trees, shrubs, hedges, or other vegetation in the front and side yards (including the street side yards of any corner lots), requires ACC prior written approval.

2.4 Damage to Lawns or Landscaping. The Owners shall be responsible for any damage caused by the Owners, their agents or invitees to their respective lawns or landscaping. The Association shall, at its option, cause the designated lawn service provider to repair any such damage and bill the Owner directly for the expense of repair.

2.5 Complaints Regarding Services and/or Designated Service Provider. All complaints regarding the designated lawn and landscaping service provider shall be brought to the Property Management Company for Pondsider.